

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 29, 2009

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Goedde, absent and formally excused by the Chair; and Senator Pearce, absent and excused.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Kylee Holdaway, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 28, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Pearce was recorded present at this order of business.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 28, 2009

President Brad Little
Capitol Annex
P.O. Box 87320
Boise, ID 87320

RE: Change in roster of Minority Leadership

Dear Mr. President,

The purpose of this transmittal is to inform you of a change in the roster of the Senate Minority Leadership as follows:

Minority Leader, Senator Kate Kelly
Assistant Minority Leader, Senator Elliot Werk
Minority Caucus Chair, Senator Les Bock

Sincerely,

/s/ Kate Kelly

On request by Senator Davis, granted by unanimous consent, the following roster of minority leadership was ordered spread upon the pages of the Journal:

Minority Leader Senator Kate Kelly
Assistant Minority Leader Senator Elliot Werk
Minority Caucus Chairman Senator Les Bock

On request by Senator Davis, granted by unanimous consent, pursuant to Senate Rule 3(B), the revised seating assignments, per minority leadership changes, have now been permanently assigned to the Senators for the Sixtieth Idaho Legislature.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1050

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO ENFORCEMENT OF JUDGMENTS IN CIVIL ACTIONS; AMENDING SECTION 11-603, IDAHO CODE, TO PROVIDE AN EXEMPTION FOR MEDICAL SAVINGS ACCOUNTS AND TO MAKE TECHNICAL CORRECTIONS.

S 1051

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO TELEPHONE COMMUNICATIONS; PROVIDING A SHORT TITLE AND LEGISLATIVE INTENT; AMENDING CHAPTER 67, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-6711B, IDAHO CODE, TO DEFINE TERMS, TO CREATE THE CRIME OF ANTI-CALLER ID SPOOFING, TO PROVIDE PENALTIES AND TO PROVIDE THAT A VIOLATION IS A VIOLATION OF THE CONSUMER PROTECTION ACT; AND AMENDING SECTION 48-603, IDAHO CODE, TO PROVIDE THAT A VIOLATION OF THE ANTI-CALLER ID SPOOFING ACT IS A VIOLATION OF THE CONSUMER PROTECTION ACT.

S 1052

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO DEALERS IN FARM PRODUCE; REPEALING CHAPTER 13, TITLE 22, IDAHO CODE, RELATING TO DEALERS IN FARM PRODUCE.

[S 1050](#), [S 1051](#), and [S 1052](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1009](#), [S 1011](#), and [S 1013](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1014](#), by Broadsword, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [S 1012](#) retained its place on the Third Reading Calendar until Wednesday, February 4, 2009.

[S 1016](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, Sagness(Malepeai), McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorsen(Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1016](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11:30 a.m., Friday, January 30, 2009.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary